

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

LYNDA DAVIS,)	
)	
Plaintiff,)	
)	
v.)	No. 1:17-CV-2
)	
WAL-MART STORES EAST, L.P.,)	
)	
Defendant.)	

ORDER

This matter is before the Court to consider the Report and Recommendation of the United States Magistrate Judge dated February 22, 2018. In that Report and Recommendation, the Magistrate Judge recommends that the Motion to Amend Complaint, [Doc. 24], be GRANTED IN PART and DENIED IN PART. Specifically, the magistrate judge recommended that plaintiff's motion be denied in part to the extent it relates to the plaintiff's proposed amendment seeking punitive damages and be granted in part to allow the plaintiff to increase her request for compensatory damages to \$250,000.00 and to include allegations concerning the car battery. Further, the magistrate judge recommended that the defendant be allowed to further depose the plaintiff concerning solely her new factual allegations for up to one hour only within 14 days of the entry of the Court's order if the Report and Recommendation is adopted. No objections have been filed to the Report and Recommendation.

After careful consideration of the record as a whole, and after careful consideration of the Report and Recommendation of the United States Magistrate Judge, and for the reasons set out in that Report and Recommendation which are incorporated by reference herein, it is hereby ORDERED that this Report and Recommendation is ADOPTED and APPROVED, [Doc. 27], that

plaintiff's Motion to Amend Complaint, [Doc. 24], be GRANTED IN PART and DENIED IN PART. In addition, the plaintiff may file an amended complaint that conforms to this Order within seven days of the Order's entry. Also, the defendant is allowed to further depose the plaintiff concerning solely her new factual allegations for up to one hour within 14 days of the entry of this Order. Finally, the Court notes there is a pending Motion for Summary Judgment, [Doc. 28], which was filed on February 27, 2018. Should the defendant wish to amend or supplement that motion as a result of this Order, then the defendant should file an appropriate motion.

ENTER:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE